

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 6/18/2024

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MICHAEL MULGREW, as President of the UNITED
FEDERATION OF TEACHERS, Local 2, American
Federation of Teachers, AFL-CIO, VITO J. FOSSELLA,
individually and in his capacity as Staten Island Borough
President, PAUL CAMINITI, TROY McGHIE,
MARTHA MAZIER, CARLY BIANCHINI, HANNAH
CHOI, FRANK GARCIA, LINDSEY LAMPF,

Plaintiffs,

-v-

UNITED STATES DEPARTMENT OF
TRANSPORTATION, FEDERAL HIGHWAY
ADMINISTRATION, SHAILEN BHATT, in his official
capacity as Administrator of the Federal Highway
Administration, RICHARD J. MARQUIS, in his official
capacity as Division Administrator of the New York
Division of the Federal Highway Administration, the
METROPOLITAN TRANSIT AUTHORITY, the
TRIBOROUGH BRIDGE AND TUNNEL
AUTHORITY, the NEW YORK STATE
DEPARTMENT OF TRANSPORTATION, the NEW
YORK CITY DEPARTMENT OF TRANSPORTATION

Defendants.

NEW YORKERS AGAINST CONGESTION
PRICING TAX, DANNY BUZZETTA, DR. GREGOR
WINKEL, LEE BERMAN, MEREDITH LeVANDE,
RITA SUE SIEGEL, TOMMY LOEB, KATHRYN
FREED, TREVER HOLLAND, RICKY YANG, PAUL
ENG, BARUCH WEISS, ROBERT FRIEDRICH,
KEVIN FORRESTAL, WARREN SCHREIBER,
CHRISTOPHER RYAN, BEN MASON, DENNIS
ROSARIO, RABBI Y.S. GINZBERG, JACOB
ENGLANDER, AARON GONZALEZ, HOWARD
CHIN, ELAINE LA PENNA, THOMAS ANTHONY
SCARPACI, COUNCILMEMBER JOSEPH C.
BORELLI, COUNCILMEMBER KRISTY
MARMORATO, COUNCILMEMBER VICKIE
PALADINO, COUNCILMEMBER JOANN ARIOLA,

24-cv-1644 (LJL)
24-cv-367 (LJL)
23-cv-10365 (LJL)

ORDER

COUNCILMEMBER SUSAN ZHUANG, :
 COUNCILMEMBER KALMAN YEGER, :
 COUNCILMEMBER INNA VERNIKOV, :
 COUNCILMEMBER DAVID CARR, :
 COUNCILMEMBER ROBERT F. HOLDEN, and :
 ASSEMBLYMEMBER DAVID WEPRIN, individually :
 and on behalf of all others similarly situated, :

Plaintiffs, :

-v- :

UNITED STATES DEPARTMENT OF :
 TRANSPORTATION, FEDERAL HIGHWAY :
 ADMINISTRATION, SHAILEN BHATT, in his official :
 capacity as Administrator of the Federal Highway :
 Administration, RICHARD J. MARQUIS, in his official :
 capacity as Division Administrator of the New York :
 Division of the Federal Highway Administration, :
 METROPOLITAN TRANSPORTATION AUTHORITY, :
 TRIBOROUGH BRIDGE AND TUNNEL :
 AUTHORITY, NEW YORK STATE DEPARTMENT :
 OF TRANSPORTATION, NEW YORK CITY :
 DEPARTMENT OF TRANSPORTATION and :
 TRAFFIC MOBILITY REVIEW BOARD, :

Defendants. :

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ELIZABETH CHAN, TAMARA HOFFMAN, and DOES :
 1 through 200, :

Plaintiffs, :

-v- :

UNITED STATES DEPARTMENT OF :
 TRANSPORTATION, FEDERAL HIGHWAY :
 ADMINISTRATION, SHAILEN BHATT, in his official :
 capacity as Administrator of the Federal Highway :
 Administration, RICHARD J. MARQUIS, in his official :
 capacity as Division Administrator of the New York :
 Division of the Federal Highway Administration, LISA :
 GARCIA, in her official capacity, STEPHEN :
 GOODMAN, in his official capacity, ALLISON L.C. DE :
 CERRENO Ph.D., in her official capacity, NICHOLAS :
 A. CHOUBAH, P.E., in his official capacity, WILLIAM :

J. CARRY, in his official capacity, and DOES 1 through :
10. :

Defendants. :

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LEWIS J. LIMAN, United States District Judge:

The parties shall confer and file a proposed schedule by June 27, 2024 for supplemental briefing on how the FHWA's June 14, 2024 reevaluation affects the pending motions regarding Count Two in each of the above-captioned cases. The proposed schedule shall include the compilation and circulation of a supplemental appendix with the reevaluation and accompanying appendices.

SO ORDERED.

Dated: June 18, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge